



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Joseph E. Zahner
3646 Dover Place
Saint Louis MO 63116

COPY MAILED

JUL 06 2007

OFFICE OF PETITIONS

In re Application of
JOSEPH EDWARD ZAHNER
Application No. 10/751,380
Filed: January 05, 2004
Attorney Docket No. NR 04-001

:
:
:
:
:

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 15, 2007, to revive the above-identified application.

The petition is **GRANTED**.

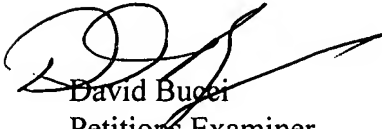
The above-identified application became abandoned for failure to submit the issue fee and publication fee in a timely manner in reply to the Notice of Allowance mailed December 28, 2006, which set a statutory period for reply of three (3) months. Accordingly, by operation of law, the above-identified application became abandoned on March 29, 2007.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of payment of the Issue Fee of \$ 700 and publication fee of \$300; (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the Issue Fee payment and publication fee payment are accepted as having been unintentionally delayed.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the petition is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the petition.

Telephone inquiries concerning this decision should be directed to Jean F. Duverne at (571) 272-6051 or in his absence, the undersigned at (571) 272-7099.

The application file is being referred to the Office of Patent Publication.



David Bucci
Petitions Examiner
Office of Petitions